

## **REMARKS**

The previously cited Gere, U.S. Publication 2004/0019778, was used to reject claims. Gere's method transfers a bootable operating system from a first computer to a second computer. The entire operating system is captured on a portable drive and transferred complete from the first to the second computer, which then reconfigures the second computer with a booting of the transferred operating system. Gere always requires a system reboot of the computer and transfers the complete operating system.

The amended claims clearly differentiate the invention from Gere. Applicant's amended Claim 1 which recites the limitations of "reconfiguring the second computer by merging configuration and program information of said first computer into a local system environment of said second computer; and thereafter operating said second computer in accordance with said settings and under an operating system which was already installed and running on the second computer without performing a system reboot." Similarly, Claim 17 recites "executing the merged registry information on the second computer, wherein said registry information comprises settings and options for the already running operating system which take effect without a system reboot." The registry information is defined as settings and option for the operating system and is not an operating system.

Applicant invention discloses a unique method of transferring a portable operating environment without transferring the operating system. Applicant's transfers configuration, program/program data, registry settings, environmental settings, and dynamic link library information from a first computer operating environment to a second computer operating environment

via a portable data medium and requires a Portable Operating Environment software utility program. The configuration of a second environment occurs upon transfer of the information and does not require a reboot and does not transfer an entire operating system, which can never be done without a system reboot.

The Examiner's position in the interview was that the "operating system environment" of Gere was the same as the invention. However, Gere specifically defines "operating system environment" as the operating system. *Gere, para 0004. See also paras 0009, 0010.* Furthermore, the terms are used interchangeably throughout the specification. *See Gere, paras 0038-0041.* To the extent they are not the same, Fig. 3 of Gere clearly depicts a portable operating system that is transferred; not the environment, and Paragraph 0038 very clearly states that the "portable operating system environment 313 comprises a bootable operating system." To attempt to interpret Gere as transferring anything less than the entire operating system is impermissible, because the Examiner is obligated to interpret the prior art only for what it teaches and not "read into" the reference using the invention as a guide. Gere transfers a complete operating system as clearly stated in Paragraph 38 and any interpretation that the operating system is not transferred in Gere requires impermissible use of the invention claims to read and interpret Gere.

The amended claims also specifically require a running operating system on the second system and continued running of the operating system without rebooting, and Gere further fails to teach this limitation. Because Applicant's method does not require booting of the second system environment prior to resuming operating, it is not suggested, taught, or

disclosed by Gere which always require a reboot.

It is believed the amendments place the claims in condition for allowance. Therefore, Applicant respectfully requests that the application be allowed.

## **Interview Summary**

An interview was conducted with Examiner Deng on March 5, 2008, and Applicant wishes to thank the Examiner for her time and consideration. A formal agreement was not reached on the claims. However, the Examiner shared her thought and concerns regarding the claim limitations in Claims 1, 15-17 and the teachings of the prior art. Applicant pointed out differences in the invention relative to Gere. Suggested claim limitations were discussed to further differentiate the claimed invention from the Gere prior art reference. Appropriate amendments were discussed and have been made to the Claims.

However, in an informal telephone interview with Counsel on March 25, 2008, Examiner stated that Gere did in fact not transfer the complete operating system. The Examiner argued that the transferred environment could be information in the invention (i.e., configuration settings, programs, program data, and dynamically linked library (DLL) information). Applicant categorically disagrees and has pointed to specific figure and paragraph references definitively showing that Gere transfers the entire operating system.

**CONCLUSION**

Based on the foregoing amendment and remarks, reconsideration of the application is respectfully requested. This response is intended to further address the Office Action mailed August 24, 2007 by further differentiating the invention from the cited art. No new matter has been added. Applicants submit that the Claims are now in a condition for allowance, and such notice is hereby earnestly solicited.

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Respectfully submitted,

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